

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 22

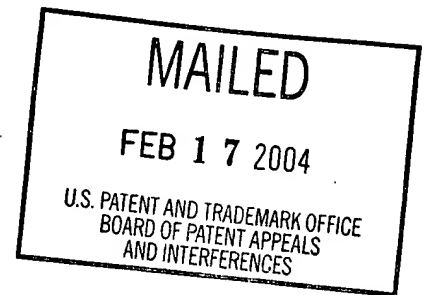
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte SHARON F. KLEYNE

Appeal No. 2003-1766  
Application 09/614,790

**ORDER DISMISSING APPEAL**



Before HARKCOM, Acting Chief Administrative Patent Judge, and  
WILLIAM F. SMITH and MILLS, Administrative Patent Judges.

Per curiam.

On January 30, 2004, counsel for the appellant faxed a communication stating:

I am submitting by fax a copy of the Request for Continued Examination that was filed today in the US Patent Office. This application is currently scheduled for an oral hearing before the Board on February 5, 2004. In view of the filing of the RCE, please remove the oral hearing from the docket of the Board and return the examination of the application to the Examiner.

Accordingly, the appeal in this application

- (1) has been removed from the hearing docket, and
- (2) is dismissed.

The application is being returned to the examiner for further action as may be appropriate.

*Demetra J. Mills*  
Demetra J. Mills  
Administrative Patent Judge

**BOARD OF PATENT  
APPEALS AND  
INTERFERENCES**

Howard Eisenberg, Esq.  
2206 Applewood Court  
Perkasie, PA 18944

dem